

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

NICOLE JENNINGS WADE,
JONATHAN D. GRUNBERG, and
G. TAYLOR WILSON,

Plaintiffs,

v.

L. LIN WOOD,

Defendant.

Case No. 1:22-cv-1073-MLB

PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiffs, by and through their undersigned counsel, respectfully move this Court for partial summary judgment on the defamation elements of publication, defamatory meaning, and falsity.

As explained in detail in the brief being submitted in support of this motion, there is no genuine dispute of fact that Defendant L. Lin Wood (“Defendant Wood”) published various statements to third parties accusing Plaintiffs of criminal extortion, that Defendant Wood’s extortion accusations are defamatory *per se*, and that Defendant Wood’s accusations are false. Further, as corollaries to those

elements, Plaintiffs additionally move for judgment on Defendant Wood's affirmative defenses of substantial truth and opinion.

This motion is based upon all pleadings and matters of record in this case, including, without limitation:

1. Plaintiffs' Brief in Support of Motion for Partial Summary Judgment filed concurrently herewith;
2. Plaintiffs' Statement of Undisputed Material Facts for which There Remains No Issue to be Tried filed concurrently herewith;
3. The deposition of L. Lin Wood;
4. The deposition of G. Taylor Wilson;
5. The Declaration of Nicole J. Wade filed concurrently herewith;
6. The Declaration of G. Taylor Wilson filed concurrently herewith; and
7. The Declaration of Jonathan D. Grunberg filed concurrently herewith.

WHEREFORE, Plaintiffs request that they be granted summary judgment with respect to the elements of publication, defamatory meaning, and falsity, as well as the affirmative defenses of substantial truth and opinion, which would necessarily fail by virtue of judgment on the affirmative elements of defamation.

Respectfully submitted this 17th day of April, 2023.

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CERTIFICATE UNDER L.R. 7.1D

Pursuant to Northern District of Georgia Civil Local Rule 7.1D, the undersigned counsel certifies that this *Plaintiffs' Motion for Partial Summary Judgment* is a computer document and was prepared in Times New Roman 14-point font, as mandated in Local Rule 5.1C.

Dated: April 17, 2023.

/s/ Andrew M. Beal
Counsel for Plaintiffs

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Case No. 1:22-CV-01073

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing *Plaintiffs' Motion for Partial Summary Judgment* with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all counsel of record.

Respectfully submitted this 17th day of April, 2023.

By: /s/ Andrew M. Beal
Andrew M. Beal, Esq.
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